IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. Civil Writ Petition No.5975/07
Akhil Bhartiya Manav Adhikar Samiti
Vs.
The State of Raj. & Ors.

4.10.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri I.R. Saini for petitioner.

Under challenge in this writ petition is directed against the order dated 30.6.2007 which has been passed by Rajasthan State Human Right Commission, Jaipur directing District Collector, Alwar to take action against the petitioner. In fact, the action has been ordered to be initiated against the petitioner on account of the fact that the petitioner Akhil Bhartiya Manav Adhikar Samiti which claims to be an NGO

was using the name similar to that of the Rajasthan State Human Right Commission. When Smt. Chandra Kala Saini, who claims to be its national President was called upon to explain, she informed the Commission that this NGO was registered under the Societies Registration Act whereas on enquiry made by the Commission from the Registrar, Co-operative Society, Rajasthan, transpired that no such institution by the aforesaid name was ever registered with them. The petitioner was asked to produce the original registration certificate but she failed to do so. The Commission further noted that in the past also two more complaints were received by it of certain persons using similar description of their outfit mislead people and in fact such persons

were appointing their office bearers at the district and tehsil level also so as to mislead the people and for doing so, charging money from them. The Commission has directed that a criminal case be registered against the petitioner. The learned counsel for the petitioner has in the course of arguments submitted that henceforth the petitioner shall not use the name of Akhil Bharitiya Manav Adhikar Samiti and would not declare herself to be its national President. She may in this connection make his submissions before the Rajasthan State Human right Commission, Jaipur with an apology and undertaking not to use the similar name ever and it would be then for the Rajasthan State Human Right Commission to consider his request, if at all this can

be taken as a mitigating circumstances.

In the facts of the case and particularly because the order impugned has been passed by a multi member high level statutory commission headed by a retired Chief Justice of the High Court, I am not persuaded to entertain the writ petition.

The writ petition is therefore dismissed but with the aforesaid observations.

(Mohammad Rafiq),J.

Rs/-